

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Walter P. Sjursen, Marvin A. Leedom, Derek D. Mahoney,
John M. Margicin, Frederick J. Fritz, John G. Aceti,
David A. Preves and Ponnusamy Palanisamy

Application No.: 09/477,700 Group: 2646

Filed: January 6, 2000 Examiner: Nguyen, Tuan Duc

Confirmation No.: 9604

For: HEARING AID WITH LARGE DIAPHRAGM MICROPHONE ELEMENT INCLUDING A PRINTED CIRCUIT BOARD

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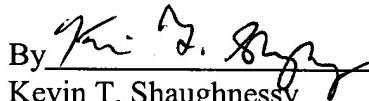
This paper is being filed in response to the Notice of Allowance mailed from the United States Patent and Trademark Office on September 9, 2005. On page 2 of the Notice of Allowability/Examiner's Amendment, it is stated that "The prior art of record teaches various hearing aids thereon, for example U.S. patent number 6,366,678."

As explained in the Amendment filed on December 27, 2004 in the present application, the Applicants submit that U.S. Patent No. 6,366,678 to Madaffari, *et al.* ("Madaffari") is not prior art against the present claims. The present application was filed on January 6, 2000, and claims priority to U.S. Provisional Application Serial Number 60/115,011, filed on January 7, 1999, U.S. Provisional Application Serial Number 60/134,896, filed May 19, 1999 and U.S. Provisional Application Serial Number 60/157,872, filed October 6, 1999.

The Madaffari patent issued from U.S. Application No. 09/478,389 which was filed on January 6, 2000, the same filing date as the present application. The Madaffari patent also claims priority to the same three provisional applications (filed on January 6, 1999, May 19, 1999, and October 6, 1999) as does the present application. Thus, Madaffari is not prior art against this application, since it has the same effective filing date as the present application.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Kevin T. Shaughnessy
Registration No. 51,014
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated:

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